

PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Confirmation No: 4904

Applicant:	Rosenau, Keith W.	Atty. Docket:	85939.000677
Application No.:	10/643,839	Examiner:	Ha, Nguyen T.
Filed:	August 19, 2003	Art Unit:	2831
Title:	CAPACITIVE SENSOR HAVING FLEXIBLE POLYMERIC CONDUCTORS		

Petition Under 37 CFR §1.181

Mail Stop Petitions
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant hereby petitions the refusal to enter the amendment filed April 27, 2006 (the April 2006 amendment) pursuant to 37 CFR §1.312. A copy of the April 2006 amendment is attached.

The petition fee pursuant to 37 CFR §1.17(f) has been authorized to be charged to deposit account 033875.

Generally, the April 2006 amendment sought to reintroduce withdrawn dependent claims which were subject to an initial species restriction.

The April 2006 amendment was believed proper as the dependent claims encompassed all the limitations of allowed generic claims.

As stated by the Examiner in the restriction requirement mailed December 3, 2004:

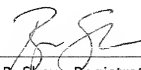
"Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim."

In response to the April 2006 amendment, the Examiner refused to enter the amendment "due to changed claimed of the invention."

As the April 2006 amendment is expressly directed to dependent claims, which claims were subject to a now unsustainable species requirement, Applicant respectfully requests entry of the April 2006 amendment.

Respectfully submitted,

Dated: March 30, 2007



Brian B. Shaw, Registration No. 33,782
Harter Secrest & Emery LLP
1600 Bausch & Lomb Place
Rochester, New York 14604
Telephone: 585-232-6500
Fax: 585-232-2152